

BUSINESS REPORT
MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE

Date: Tuesday, March 22, 2011
Place: Capitol

Time: 3:00 PM
Room: 335

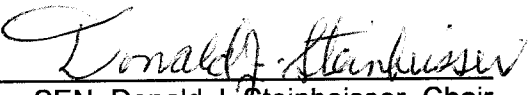
BILLS and RESOLUTIONS HEARD:

SB 405 - Revise stream access law

EXECUTIVE ACTION TAKEN:

HB 166 HB 309 HB 318 HB 430
HB 498

Comments:


SEN. Donald J. Steinbeisser, Chair

MONTANA STATE SENATE
ROLL CALL
AGRICULTURE, LIVESTOCK,
& IRRIGATION COMMITTEE

DATE: March 22, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Chairman Steinbeisser	✓	
Vice Chair Brown	✓	
Senator Branae	✓	
Senator Hawks	✓	
Senator Hutton	✓	
Senator Larsen	✓	
Senator Moore	✓	
Senator Murphy	✓	
Senator Ripley	✓	
Senator Stewart-Peregoy	✓	
Senator Windy Boy	✓	

11 Committee Members



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on Agriculture, Livestock and Irrigation recommend that House Bill 166 (third reading copy -- blue) be concurred in as amended.

Signed: Don Steinbeisser
Senator Don Steinbeisser, Chair

To be carried by Senator Frederick (Eric) Moore

And, that such amendments read:

1. Page 9, line 10.

Insert: "COORDINATION SECTION. Section 11. Coordination

instruction. If House Bill No. 212 and [this act] are both passed and approved and if both contain a section that amends 80-7-814, then the sections amending 80-7-814 are void and 80-7-814 must be amended as follows:

"80-7-814. Administration and expenditure of funds. (1) The provisions of this section constitute the noxious weed management program.

(2) (a) Except as provided in subsection (2)(b), money deposited in the noxious weed management trust fund may not be committed or expended until the principal reaches \$10 million.

(b) In the case of a noxious weed emergency, as provided in 80-7-815, a vote of three-fourths of the members of each house of the legislature may appropriate principal from the trust fund.

(c) Interest or revenue generated by the trust fund, excluding unrealized gains and losses, must be deposited in the noxious weed management special revenue fund and may be expended for noxious weed management projects before the principal of the noxious weed management trust reaches \$10 million with a majority vote of each house of the legislature.

(d) Any grant funds, regardless of the time at which the grant was awarded, that are not fully expended upon termination of the contract or an extension of the contract, not to exceed 1 year, must revert to the department. The department shall deposit

Committee Vote:

Yes 11, No 0

Fiscal Note Required ☐

22

any reverted funds into the noxious weed management trust fund as principal.

(3) The principal of the noxious weed management trust fund in excess of \$10 million may be appropriated by a majority vote of each house of the legislature. Appropriations of the principal in excess of \$10 million may be used only to fund the noxious weed management program.

(4) The department may expend funds under this section through grants or contracts to communities, weed management districts, or other entities that it considers appropriate for noxious weed management projects. A project is eligible to receive funds only if the county in which the project occurs has funded its own weed management program with using one of the following methods, whichever is lesser:

(a) ~~a levy in levying~~ an amount not less than 1.6 mills or an equivalent amount from another source; or

(b) ~~by appropriating~~ an amount of not less than \$100,000 ~~for first-class counties, as defined in 7-1-2111~~ from any source.

(5) The department may expend funds without the restrictions specified in subsection (4) for the following:

(a) employment of a new and innovative noxious weed management project or the development, implementation, or demonstration of any noxious weed management project that may be proposed, implemented, or established by local, state, or national organizations, whether public or private. The expenditures must be on a cost-share basis with the organizations.

(b) cost-share noxious weed management programs with local weed management districts;

(c) special grants to local weed management districts to eradicate or contain significant noxious weeds newly introduced into the county. These grants may be issued without matching funds from the district.

(d) administrative expenses of the department for managing the noxious weed management program and other provisions of this part. The cost of administering the program may not exceed 12% of the total program expenses.

(e) administrative expenses incurred by the noxious weed management advisory council;

(f) a project recommended by the noxious weed management advisory council, if the department determines that the project will significantly contribute to the management of noxious weeds within the state; and

(g) grants to the agricultural experiment station and the cooperative extension service for crop weed management research, evaluation, and education.

(6) The agricultural experiment station and cooperative extension service shall submit annual reports on current projects and future plans to the noxious weed management advisory council.

(7) In making expenditures under subsections (3) through (5), the department shall give preference to weed management

districts and community groups.

(8) If the noxious weed management trust fund is terminated by constitutional amendment, the money in the fund must be divided between all counties according to rules adopted by the department for that purpose.""

- END -



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Agriculture, Livestock and Irrigation** recommend that **House Bill 318** (third reading copy -- blue) be concurred in.

Signed: Don Steinbeisser
Senator Don Steinbeisser, Chair

To be carried by Senator Taylor Brown

- END -

Committee Vote:

Yes 6, No 5

Fiscal Note Required ☐

HB0318001SC06463.sdr

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SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Agriculture, Livestock and Irrigation** recommend that **House Bill 430** (third reading copy -- blue) **be concurred in.**

Signed: *Don Steinbeisser*
Senator Don Steinbeisser, Chair

To be carried by Senator Bob Hawks

- END -

Committee Vote:

Yes 10, No 1

Fiscal Note Required ☐

HB0430001SC03871.sdr

DR



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on Agriculture, Livestock and Irrigation recommend that House Bill 498 (third reading copy -- blue) be concurred in.

Signed: Don Steinbeisser
Senator Don Steinbeisser, Chair

To be carried by Senator Don Steinbeisser

- END -

Committee Vote:

Yes 11, No 0

Fiscal Note Required ☐

HB0498001SC01417.sdr

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BILL TABLED NOTICE

SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE

The **SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE** TABLED
HB 309 - Clarify prohibition on recreational access to ditches
, by motion, on **Tuesday, March 22, 2011**.

(For the Committee)



(For the Secretary of the Senate)

11:20 / 3-23-11
(Time) (Date)

March 23, 2011

Rinay Bender, Secretary

Phone: 4877

**AUTHORIZED
SENATE COMMITTEE PROXY**

I, Senator Cliff Larsen, request to be excused from the
**Agriculture, Livestock and Irrigation
COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

Gary Brance

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

Table SB 309	X	
HB 318		X
HB 430	X	
HB 498	X	

BILL/AMENDMENT

AYE NO

Sen.

Cliff Larsen
(Signature)

Date

3/22/11

**AUTHORIZED
SENATE COMMITTEE PROXY**

I, Senator Rick Ripley, request to be excused from the
**Agriculture, Livestock, and Irrigation
COMMITTEE**

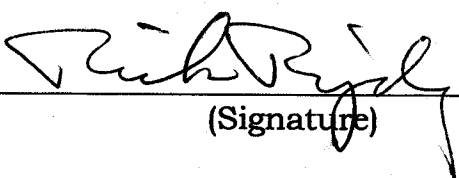
due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Taylor Brown

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
table HB309		X
HB 319	X	
HB 430	X	
HB 498	X	

BILL/AMENDMENT	AYE	NO

Sen. 
(Signature)

Date 3/22/11

AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 3-22-11 BILL NO HB 309 MOTION NO. _____

MOTION: Table bill 309

[illegible]

MONTANA STATE SENATE
Roll Call Vote
AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

DATE 3-22-11 BILL NO 318 MOTION NO. _____
MOTION: HB 318 be concurred in

[illegible]

SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE

Sponsor: Senator Anders Blewett

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.